United States Bankruptcy Court For the Eastern District of Texas Sherman Division

IN RE:) Case No. 03-43281
)
BEVERLY WARSHAWSKY)
)
Debtor(s)) Chapter 7

Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution

CHRISTOPHER J. MOSER, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: August 26, 2004 /s/ Christopher J. Moser, Trustee
Christopher J. Moser, Trustee

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 03-43281
BEVERLY WARSHAWSKY	§	(Chapter 7)
	§	
DEBTORS	\$	

TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE

The Trustee of the estate presents the following final report:

- 1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and the Trustee has not been reimbursed.
- 2. The Trustee submits Form I. as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
- 3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
- 4. The Trustee submits Form II. as the account of estate cash receipts and disbursements.
- 5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
- 6. The Trustee requests approval of this final report.
- 7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

SCHEDULE A-1

Case Name:	BEVERLY	WARSHAWSKY
------------	---------	------------

Case Number: 03-43281

A. Receipts	\$2,000.53
B. Disbursements	
1. Secured Creditors	0
2. Administrative	\$0.00
3. Priority	0
4. Other	0
Total Disbursements	\$0.00
C. Current Relance	\$2,000,53
Total Disbursements C. Current Balance	\$0.00 \$2,000.53

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Case No: BTR Judge: BRENDA T. RHOADES

Case Name: WARSHAWSKY, BEVERLY ANN

For Period Ending: 08/26/04

Trustee Name: CHRISTOPHER J. MOSER

Date Filed (f) or Converted (c): 07/16/03 (f)

341(a) Meeting Date: 08/25/03

Claims Bar Date: 07/19/04

	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 910 Rocky Creek Lane	125,000.00	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
2. Checking Accounts	602.15	2,000.00		2,000.00	FA
3. HOUSEHOLD GOODS	825.00	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
4. BOOKS/COLLECTIBLES	327.50	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
5. WEARING APPAREL	410.00	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
6. FURS AND JEWELRY	1,500.00	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
7. 2002 Dodge Ram	13,625.00	0.00		0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		0.53	Unknown
					Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$ 142,289.65	\$ 2,000.00		\$ 2,000.53	\$0.00

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

(Total Dollar Amount in Column 6)

to file a fee application. the Estate was granted, with respect to item #2. On Jan. 28, 2004, Agreed Order Regarding Motion to Enforce Order was entered, and required the Order Sustaining Trustee's Objections to Exemptions was granted, with respect to item #2. On Oct. 29, 2003, Order Directing Turnover of Property of debtor to pay the amount of \$2,000.00 to the estate, with respect to item #2. No claims objections are necessary. The Trustee's attorney chose not Quilling, Selander, Cummiskey & Lownds, P.C. is employed to represent the trustee. The trustee is a partner in the same firm. On Sept. 26, 2003,

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Page:

BTR Judge: BRENDA T. RHOADES Trustee Name:

Case No: Case Name: WARSHAWSKY, BEVERLY ANN 03-43281 Date Filed (f) or Converted (c): 07/16/03 (f) CHRISTOPHER J. MOSER

Claims Bar Date: 341(a) Meeting Date: 08/25/03

Initial Projected Date of Final Report (TFR): 06/30/05 Current Projected Date of Final Report (TFR): 08/26/04

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: Case Name: WARSHAWSKY, BEVERLY ANN 03-43281

Taxpayer ID No: ******3185

For Period Ending: 08/26/04

Trustee Name: Bank Name:

Page: 1

Account Number: CHRISTOPHER J. MOSER
BANK OF AMERICA, N.A.
******6806 BofA - Money Market Account

Blanket Bond (per case limit): Separate Bond (if applicable): 300,000.00

0.00	2,000.53		9999-000	Final Posting Transfer	Transfer to Acct #******0675		08/26/04
2,000.53		0.14	1270-000	INTEREST REC'D FROM BANK	BANK OF AMERICA, N.A.	INT	08/26/04
2,000.39		0.16	1270-000	Interest Rate 0.100	BANK OF AMERICA, N.A.	INT	07/30/04
2,000.23		0.15	1270-000	Interest Rate 0.100	BANK OF AMERICA, N.A.	TNT	06/30/04
					ALLEN, TX 75002-2931		
					910 ROCKY CREEK LN		
2,000.08		1,000.00	1129-000	Bank Balance	BEVERLY ANN WARSHAWSKY	2	06/07/04
1,000.08		0.06	1270-000	Interest Rate 0.100	BANK OF AMERICA, N.A.	TVI	05/28/04
					ALLEN, TX 75002-2931		
					910 ROCKY CREEK LN		
1,000.02		500.00	1129-000	Bank Balance	BEVERLY ANN WARSHAWSKY	2	05/11/04
500.02		0.02	1270-000	Interest Rate 0.100	BANK OF AMERICA, N.A.	Z	04/30/04
					ALLEN, TX 75002-2931		
					910 ROCKY CREEK LN		
500.00		500.00	1129-000	Bank Balance	BEVERLY ANN WARSHAWSKY	2	04/08/04
0.00				BALANCE FORWARD			
Balance (\$)	Disbursements (\$)	Deposits (\$)	T-Code	Description Of Transaction	Paid To / Received From	Reference	Date
Account						Check or	Transaction
7	6	5		4	3	2	,

Net	Less: Payments to Debtors	Subtotal	Less: Bank Transfers	COLUMN TOTALS
2,000.53		2,000.53	0.00	2,000.53
0.00	0.00	0.00	2,000.53	2,000.53

0.00

Page:

2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case Name: Case No: 03-43281 WARSHAWSKY, BEVERLY ANN BTR Trustee Name: Bank Name: CHRISTOPHER J. MOSER
BANK OF AMERICA, N.A.
*******0675 BofA - Checking Account

Taxpayer ID No: ******3185

For Period Ending: 08/26/04

Transaction

Date

08/26/04

Separate Bond (if applicable): Blanket Bond (per case limit): \$ 300,000.00

Account Number:

					Check or Reference	2
				Transfer from Acct #*****6806	Paid To / Received From	3
	TOTAL - ALL ACCOUNTS BofA - Money Market Account - *******6806 BofA - Checking Account - *******0675	Subtotal Less: Payments to Debtors Net	COLUMN TOTALS Less: Bank Transfers	BALANCE FORWARD Transfer In From MMA Account	Description Of Transaction	4
	rs ***6806 ***0675	ebtors —	s 	9999-000	T-Code	
2,000.53	NET DEPOSITS 2,000.53 0.00	0.00	2,000.53 2,000.53	2,000.53	Deposits (\$)	5
0.00	NET DISBURSEMENTS 0.00 0.00	0.00			Disbursements (\$)	6
2,000.53	ACCOUNT BALANCE 0.00 2,000.53		2,000.53	0.00 2,000.53	Account Balance (\$)	7

0.00

BEVERLY WARSHAWSKY 03-43281

TRUSTEE COMPENSATION:

SCHEDULE B

	\$500.13	\$0.00	\$0.00	\$0.00	\$500.13	
Total Receipts = \$2,000.53	25% of first \$5,000.00 =	10% over \$5,000.00 & under \$50,000.00 =	5% over \$50,000.00 & under \$1,000,000.00 =	3% over \$1,000,000.00 =	Total Trustee Fees =	

UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")

egal Time 0.00		0.00		der			တ္		7
Paralegal Time	Copies	Postage	Secretarial	Certified Order	Certified Mail	Travel	Federal Express	Recording Fees	

0.00

TOTAL UNREIMBURSED EXPENSES =

RECORDS

×		
Trustee did not take possession of business or personal records of debtor.	Trustee did take possession of business or personal records of debtor.	Notice given to debtor on to pick up business or personal records in hands of Trustee. If not picked up within 30 days such records or work files may be destroyed.

Exhibit "A" Expenses

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		Expense at	Expense at	otal		
Paralegal Time:		\$30 / hr	\$60 / hr	Expense		
Preparation of Deposits (1) & Checks (1)		0.00		0.00		
Request Bar Date		00.0		0.00		
Reconcile Bank Balance		00.0		00.0		
Trustee's Final Report	0.0		00.0	00.0		
Distribution Checks	0.0		00.0	00.00		
Trustee's Final Account	0.0		00.00	0.00		
Total Paralegal Time		00.0	0.00	0.00		
	No. of	Cost of	Secretarial	Certified	Certified	Travel
Copies, Postage & Secretarial:	Copies	Postage	Hours	Order	Mail	Miles
Data Entry for Form 1		•	0.00			
Distribution Checks (quantity = 4)		\$0.00				
Column Totals	0	0.00	0.00	0.00	0.00	0.00

00.0	00.0	00.0	00.0	00.0	00:0	00.0	00.0	00.0	00.0	\$0.00
Paralegal Time	Copies = \$0.25 each	Postage	Secretarial @ \$15.00 per hr	Certified Order	Certified Mail	Travel \$0.35 per mile	Federal Express	Recording Fees	Premium on Bond	Grand Total =

SCHEDULE C BEVERLY WARSHAWSKY 03-43281 EXPENSES OF ADMINISTRATION

AMOUNT AMOUNT AMOUNT
CLAIMED PAID DUE

1 11 U.S.C. Sec 507(a)(1)

Court Cost & Fees

- A. Notice & Claim Fees
- B. Adv. Filing Fees
- C. Quarterly Chapt 11
- 2 11 U.S.C. Sec 503(b)(1)(a)

Preservation of Estate

- A. Transportation
- B. Storage
- C. Wages
- D. Estates share FICA
- E. Watchman
- F. Insurance
- G. Upkeep
- H. Advertising
- I. Expenses in Sale of Real Estate
- J. Trustee's Bond
- 3 11 U.S.C. Sec 503(b)(2)

Post-Petition Taxes

and Related Penalties

4 11 U.S.C. Sec 503(b)(2)

Compensation and Reimbursement			
A. Trustee Fees	500.13	0.00	500.13
B. Trustee Expenses	0.00	0.00	0.00
C. Attorney to Trustee	0.00	0.00	0.00
D. Expenses for Attny to Trustee	0.00	0.00	0.00
E. Attorney to Debtor			
F. Expenses for Attny to Debtor			
G. Auctioneers Fees	0.00	0.00	0.00
H. Auctioneers Expenses	0.00	0.00	0.00
I. Appraiser			
J. Accountant Fees	0.00	0.00	0.00
K. Accountant Expense	0.00	0.00	0.00

5 11 U.S.C. Sec 503(b)(3)

Expenses of Creditors

or Committees

6 11 U.S.C. Sec 503(b)(4)

Compensation of Professionals

for Creditors or Committees

7 Other

TOTAL \$500.13 \$0.00 \$500.13

SCHEDULE D

BEVERLY WARSHAWSKY 03-43281

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

(1)	(2)	(3)	(4)	(5)
Claim	Amount	Amount	Amount	Amount
<u>No.</u>	<u>Claimed</u>	<u>Allowed</u>	<u>Paid</u>	<u>Due</u>

- 1 For Credit Extended Sec 364(e)(1)
- 2 Claims from Failure of adequate protection Sec. 307(a)(b)
- 3 "Gap Claims" Sec. 507(a)(2)
- 4 Wages,etc. Sec. 507(a)(3)
- 5 Contributions to benefit plans Sec. 507(a)(4)
- 6 Engaged in raising of grain or fisherman Sec. 507(a)(5)
- 7 Consumer Deposits Sec. 507(a)(6)
- 8 Alimony or Support or Child; Sec. 507(a)(7)
- 9 Taxes Sec. 507(a)(8)

TOTAL ALLOWED PRIORITY CLAIMS:

\$0.00

SCHEDULE E BEVERLY WARSHAWSKY 03-43281

SECURED CLAIMS

Claim <u>No.</u>	Creditor	(2) Amount not <u>Determined</u>	(3) Amount <u>Allowed</u>	(4) Amount <u>Paid</u>	(5) Amount <u>Due</u>

Total of ALLOWED Secured Claims: \$0.00

Total UNSECURED CLAIMS Allowed: \$21,143.62

Eastern District of Texas Claims Register

03-43281 Beverly Ann Warshawsky Honorable Brenda T. Rhoades Debtor Name: WARSHAWSKY,BEVERLY ANN

Claim No: 1	Creditor Name: BINNACLE ANESTHESIA CONSULTANTS 13601 PRESTON ROAD SUITE 900W Dallas, TX 75240	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date: 05/10/2004	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$5401.20	
Total	\$5401.20	
Description:		
Remarks:		

Claim No: 2	Creditor Name: WESTPARK SURGERY CENTER P0 BOX 3060 Mc Kinney, TX 75070	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date: 05/12/2004	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$574.28	
Total	\$574.28	
Description:		
Remarks:		

Claim No: 3	Creditor Name: Discover Bank Discover Financial Services PO Box 8003 Hilliard, OH 43026	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date:	Amends Claim No:	Duplicates Claim No:
05/24/2004	Amended By Claim No:	Duplicated By Claim No:

Class	Amount Claimed	Amount Allowed
Unsecured	\$7898.62	
Total	\$7898.62	
Description:		
Remarks:		

Claim No: 4	Creditor Name: Recovery Management Systems Corporation For Monogram Credit Card Bank of Georgia DBA Home Depot 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date: 05/28/2004	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$186.23	
Total	\$186.23	
Description:		
Remarks:		

Claim No: 5	Creditor Name: Recovery Management Systems Corporation For Monogram Credit Card Bank of Georgia DBA Lowes 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date: 05/28/2004	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$5754.73	
Total	\$5754.73	
Description:		
Remarks:		

Claim No: <u>6</u>	Creditor Name: Recovery Management Systems Corporation For Monogram Credit Card Bank of Georgia DBA Sam's Club 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Last Date to File Claims: 07/19/2004 Last Date to File (Govt): 10/15/2004 Filing Status: Docket Status: Late: N
Claim Date:	Amends Claim No:	Duplicates Claim No:
05/28/2004	Amended By Claim No:	Duplicated By Claim No:

Class	Amount Claimed	Amount Allowed
Unsecured	\$1328.56	
Total	\$1328.56	
Description:		
Remarks:		

Claims Register Summary

Case Name: Beverly Ann Warshawsky

Case Number: 2003-43281

Chapter: 7

Date Filed: 07/16/2003 Total Number Of Claims: 6

	Total Amount Claimed	Total Amount Allowed
Unsecured	\$21143.62	
Secured		
Priority		
Unknown		
Administrative		
Total	\$21143.62	

PACER Service Center								
	Transaction Receipt							
08/26/2004 13:16:45								
PACER Login:	cm1174	Client Code:						
Description:	Claims Register	Search Criteria:	03-43281 Filed or Entered From: 8/27/2002 Filed or Entered To: 8/26/2004					
Billable Pages:	1	Cost:	0.07					

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 03-43281
BEVERLY WARSHAWSKY	§	(Chapter 7)
	§	
DEBTORS	§	

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

The undersigned trustee of the estate hereby submits to the Court and to the United States

Trustee this Report of Proposed Final Distributions.

- 1. The Court has entered orders which have become final, and which dispose of all objections to claims, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.
- 2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

1 Balance on hand		\$2,000.53
2 Administrative Expenses to be paid (see attached schedule of payees and amounts)	\$500.13	
3 Priority Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
4 Secured Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
5 Unsecured Claims to be paid (see attached schedule of payees and amounts)	\$1,500.40	
6 Miscellaneous distributions to be paid (see attached schedule of payees and amounts) Surplus to Debtor		
7 Total Distributions to be made.	\$2,000.53	
8 Zero Balance		\$0.00

/s/ Christopher J. Moser Christopher J. Moser 2001 Bryan Street, Suite 1800 Dallas, Texas 75201

PROPOSED DISTRIBUTION

Case Number: 03-43281

 $\mathbf{B}\mathbf{T}\mathbf{R}$

Debtor Name: WARSHAWSKY, BEVERLY ANN

Page 1

Date: August 26, 2004

Claim#	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning	g Balance							\$2,000.53
Cla	im Type -							
	CHRISTOPHER J. MOSER COMPENSATION	Admin		\$500.13* \$500.13	\$0.00	\$500.13	\$500.13	\$1,500.40
		Percent	Paid: 100.0	0000 %				
	CHRISTOPHER J. MOSER EXPENSES	Admin		\$0.00* \$0.00	\$0.00	\$0.00	\$0.00	\$1,500.40
	Subtotal For Claim Ty	pe		\$500.13 * \$500.13	\$0.00	\$500.13	\$500.13	-
Subtota	als For Class Administrative 100.00	0000 %		\$500.13 * \$500.13	\$0.00	\$500.13	\$500.13	-
Cla	aim Type 400 - General Unsecured	Claims						
000001	BINNACLE ANESTHESIA CONSULTANTS	Unsec	400	\$5,401.20* \$5,401.20	\$0.00	\$5,401.20	\$383.28	\$1,117.12
		Percent	Paid: 7.096	20 %				
000002	WESTPARK SURGERY CENTER	Unsec	400	\$574.28 * \$574.28	\$0.00	\$574.28	\$40.75	\$1,076.37
		Percent	Paid: 7.095	84 %				
000003	Discover Bank	Unsec	400	\$7,898.62 * \$7,898.62	\$0.00	\$7,898.62	\$560.50	\$515.87
		Percent	Paid: 7.096	18 %				
000004	Monogram Credit Card Bank of Georgia	Unsec	400	\$186.23 * \$186.23	\$0.00	\$186.23	\$13.22	\$502.65
		Percent	Paid: 7.098	75 %				
000005	Monogram Credit Card Bank of Georgia	Unsec	400	\$5,754.73 * \$5,754.73	\$0.00	\$5,754.73	\$408.37	\$94.28
		Percent	Paid: 7.096	25 %				
000006	For Monogram Credit Card Bank of Georgia	Unsec	400	\$1,328.56* \$1,328.56	\$0.00	\$1,328.56	\$94.28	\$0.00
		Percent	Paid: 7.096	41 %				
	Subtotal For Claim Ty	pe 400	,	\$21,143.62 * \$21,143.62	\$0.00	\$21,143.62	\$1,500.40	-
Subtota	als For Class Unsecured 7.0962	23 %		\$21,143.62 * \$21,143.62	\$0.00	\$21,143.62	\$1,500.40	-

Printed: 08/26/04 12:40 PM Ver: 9.52a

PROPOSED DISTRIBUTION

Case Number: 03-43281 BTR Page 2 Date: August 26, 2004

Debtor Name: WARSHAWSKY, BEVERLY ANN

Claim # Payee Name	Class Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
<< Totals >>		\$21,643.75 \$21,643.75	\$0.00	\$21,643.75	\$2,000.53	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

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